



Regular Council Meeting
Tuesday, August 6, 2024 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Invocation - Pastor Nick Shaner, Johnstown Shepherd Church
4. Pledge of Allegiance
5. Approval of Agenda
6. Action on Minutes
 - a. July 15, 2024
7. Citizen comments on matters not on the agenda
8. Council Committee reports
 - a. **Planning & Zoning:** 7/23/24 canceled; Next 8/13/24 @ 6:30 pm Council Chambers
 - b. **Design Review Board:** Met 7/23/24; Next 8/13/24 @ 5:00 pm Council Chambers
 - c. **Finance:** 8/6/24; Next 8/20/24 @ 4:30 pm Council Chambers
 - d. **Safety & Service:** 8/6/24; Next 9/3/24 @ 5:30 pm Council Chambers
9. Director Reports
 - a. Water & Sewer Departments
 - b. Service Director
10. Council decision on Zoning Map Amendment - TABLED June 18, 2024
11. Tabled Legislation
 - a. **ORDINANCE 17-2024** AN ORDINANCE TO PROHIBIT CANNABIS DISPENSARIES; AND TO DECLARE AN EMERGENCY. Tabled July 2, 2024
 - b. **RESOLUTION 2024-28** A RESOLUTION IMPOSING A TWELVE-MONTH MORATORIUM ON THE COMMERCIAL CULTIVATION AND PROCESSING OF ADULT-USE CANNABIS IN THE CITY OF JOHNSTOWN. Tabled July 2, 2024
12. Public Hearings of Legislation
 - a. **ORDINANCE 18-2024** AN ORDINANCE TO AMEND THE JOHNSTOWN GATEWAY PD DISTRICT MAP BY ADDING TWO PARCELS TOTALING + 9.0 ACRES TO SUBAREA ONE OF THE PD DISTRICT
 - b. **ORDINANCE 19-2024** AN ORDINANCE TO AMEND THE JOHNSTOWN GATEWAY TAX INCREMENT FINANCING AREA TO ADD APPROXIMATELY +/- 9 ACRES TO THAT AREA, AND DECLARING AN EMERGENCY
 - c. **RESOLUTION 2024-30** A RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON MEDICAL AND ADULT-USE CANNABIS DISPENSARIES IN THE CITY OF JOHNSTOWN
13. Introduction of Legislation - None
14. Other Business

- a. Greater Johnstown Park & Rec proposal
 - b. Creation of a Township Liaison Committee discussion
 - c. NCA Board appointment discussion
- 15. Executive Session to consider the employment of a public employee
 - 16. Executive Session to consider confidential business information of an applicant for Economic Development Assistance
 - 17. Adjourn

Next Council Meeting August 20, 2024



Regular Council
Monday, July 15, 2024 - 5:00 PM
MINUTES

1. Call to Order

Mayor Donald Barnard called to Order the City of Johnstown Regular Council Meeting for July 15, 2024 at 5:06 PM.

2. Roll Call

Present - Mayor Donald Barnard, Tiffany Hollis, Dave Selan, Wesley Kobel, Jeff Barr, Bob Orsini, Ryan Green (absent at roll call, arrived at 5:12 pm)
Absent - None

Staff present - Sean Staneart - City Manager, Dave Delande - Finance Director, Jack Liggett - Service Director, Rusty Smart - Chief of Police, Teresa Monroe - Clerk of Council

Public present - Melissa Hartfield, Sean Barnes, Jeremy Johnson, Jeff Brown, Jordan Kosinski, Joel Hatfield, Kyle May, Tiara Pettway, Joseph Robertson, Zack Harkovy, Jamie McNally, Tim Swauger, Jeff Brown

3. Invocation

Jordan Kosinski with Grace Church Galena offered the invocation.

4. Pledge of Allegiance

After the pledge, Mayor Barnard said he would like to welcome Mayor Melissa Hartfield of Granville and Mayor Barnes of Alexandria, along with the Granville Vice-Mayor Jeremy Johnson, Johnstown-Monroe School Board President Tim Swauger and Granville Schools Superintendent Jeff Brown.

5. Approval of Agenda

ACTION: Bob Orsini moved to approve as written; Dave Selan seconded and the vote was as follows:

AYES: Bob Orsini, Jeff Barr, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Dave Selan

NOES: None

ABSTAIN: None

Passed 6 - 0

6. Action on Minutes

a. July 2, 2024 Regular b. July 8, 2024 Special

ACTION: Dave Selan moved to approve as written, both July 2nd and July 8th; Bob Orsini seconded and all were in favor.

AYES: Jeff Barr, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Dave Selan, Bob Orsini

NOES: None

ABSTAIN: None

Passed 6 - 0

7. Citizen comments on matters not on the agenda
No comments
8. Executive Session to discuss imminent court action

ACTION: Bob Orsini moved to amend the agenda order; Dave Selan seconded and the vote was as follows:
AYES: Jeff Barr, Ryan Green, Tiffany Hollis, Donald Barnard, Wesley Kobel, Dave Selan, Bob Orsini
NOES: None
ABSTAIN: None

Passed 7 - 0

ACTION: Mayor Barnard moved to enter Executive Session to discuss imminent court action, to include all of Council, the City Manager, the mayors of Alexandria and Granville, the Vice-Mayor of Granville, the superintendents of Johnstown and Granville schools, the School Board President, representative from EMH&T, City Attorney Steve Samuels, and representative from MKSK; Dave Selan seconded and the vote was as follows:
AYES: Mayor Barnard, Wesley Kobel, Dave Selan, Bob Orsini, Jeff Barr, Tiffany Hollis
NOES: None
ABSTAIN: None

Passed 6 - 0

Ryan Green arrived just after Executive Session began.
Council entered Executive Session at 5:11 pm and returned to Regular Session at 7:34 pm.

Upon council's return, Mayor Barnard said that the individual talking about the Comprehensive Plan on the agenda tonight has to leave and asked for a motion to alter the agenda and move it up to now.

ACTION: Bob Orsini moved to amend the agenda order; Dave Selan seconded and the vote was as follows:
AYES: Bob Orsini, Dave Selan, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Jeff Barr
NOES: None
ABSTAIN: None

Passed 7 - 0

- a. **RESOLUTION 2024-14** A RESOLUTION TO ADOPT THE PROPOSED COMPREHENSIVE PLAN AS PRESENTED. Tabled April 4, 2024

ACTION: Mayor Barnard moved to take from the table; Dave Selan seconded and

the vote was as follows:

AYES: Mayor Barnard, Wesley Kobel, Jeff Barr, Bob Orsini, Dave Selan, Ryan Green, Tiffany Hollis

NOES: None

ABSTAIN: None

Passed 7 - 0

Mayor Barnard said that council has had this, zoning has had this, he believes all requested changes have been made. Kyle May with MKSK thanked council for the opportunity to work with them on this very important document, it has taken a while to get here but he hopes they see the priorities of the city and the public in it, it will be a good framework for the city to move forward with.

Some discussion on the downtown area and the need for updated design guidelines. Mr. May was asked when MKSK could get the city a proposal, he said he believes that is next and on their to-do list for the next ten days. Ryan Green said he wants to reserve the right to make amendments to this plan as they discover disjointed documents.

ACTION: Dave Selan moved to adopt the proposed Comprehensive Plan as presented; Wesley Kobel seconded and the vote was as follows:

AYES: Dave Selan, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Jeff Barr, Bob Orsini

NOES: None

ABSTAIN: None

Passed 7 - 0

9. Council Committee reports

- a. **Planning & Zoning:** Met 7/9/24; Next 7/23/24 @ 6:30 pm Council Chambers
Brief discussion on the new demolition language proposed for the zoning code, the board recommenced the legislation draft to council. Discussion on some future events.
- b. **Design Review Board:** 7/9/24 canceled; Next 7/23/24 @ 5:00 pm Council Chambers
- c. **Finance:** Next 8/6/24 @ 5:00 pm Council Chambers
Discussion on moving the start time to 4:30 pm; committee members in agreement in order to give Safety & Service more time for their committee meeting which follows.
- d. **Safety & Service:** Next 8/6/24 @ 5:45 pm Council Chambers

10. Director Reports

- a. Police Chief
Report included in the council packet. No questions asked by council members.
 - b. City Manager
Report included in the council packet. No questions asked by council members.
11. Council decision on Zoning Map Amendment - TABLED June 18, 2024
Applicant has requested to keep this tabled.
12. Tabled Legislation

- b. **ORDINANCE 16-2024** AN ORDINANCE TO AMEND SECTIONS 1187.03, 1187.08 AND 1187.09 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES. Tabled July 2, 2024

ACTION: Ryan Green moved to remove from the table; Bob Orsini seconded and all were in favor.

AYES: Jeff Barr, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Dave Selan, Bob Orsini

NOES: None

ABSTAIN: None

Passed 7 - 0

Ryan Green said that the Planning Commission was in support of this legislation, it gives them a lot better criteria to review versus the three items before. The commission made no changes in their review and recommends approval by council.

ACTION: Ryan Green moved to approve as written; Bob Orsini seconded and the vote was as follows:

AYES: Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Jeff Barr, Bob Orsini, Dave Selan

NOES: None

ABSTAIN: None

Passed 7 – 0

- c. **ORDINANCE 17-2024** AN ORDINANCE TO PROHIBIT CANNABIS DISPENSARIES; AND TO DECLARE AN EMERGENCY. Tabled July 2, 2024

ACTION: Dave Selan moved to take from the table; Donald Barnard seconded and all were in favor

AYES: Jeff Barr, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Dave Selan, Bob Orsini

NOES: None

ABSTAIN: None

Passed 7 - 0

Dave Selan said that in discussion with many citizens on the question of whether or not they would be favorable to a marijuana dispensary locating in the city, he said the good

majority, two-thirds if not three-quarters replied no, that they were not ready for this. Mr. Selan added that Newark has three dispensaries now, and they have put a moratorium on additional. Other areas have put on moratoriums, and looking at the wave of opinion and action of other cities around us, this has showed a certain light. He said he also looked at the impact on the police department, they are stretched with staffing and this could cause additional strain, he said he is uncomfortable with that.

Bob Orsini asked where dispensaries fell in our current zoning. Mr. Staneart said that they do not, if a use is not stated, it is not permitted, however that could be challenged so the City Law Director advised that other communities have taken an additional step, and if there were a desire to prohibit or put a moratorium on dispensaries, that it would be helpful to definitively add the prohibition.

Ryan Green said this type of business is something that people in the city voted for, he thinks there is room to have this in the zoning code. The state already has a number of hurdles for these to jump through, if we have our own criteria and make it a conditional use, that means they have to show up to get the business in the city, he thinks there is the ability to put this into a part of the city where it won't be offensive.

Discussion on understanding how the approval process works, there are still many unknowns. Discussion on a moratorium until the end of the year or until it is known what the rules from the state will be, a moratorium will give council time to do some more research and examine options.

ACTION: Donald Barnard moved to table ordinance 17-2024; Tiffany Hollis seconded and the vote was as follows:
AYES: Mayor Barnard, Wesley Kobel, Jeff Barr, Bob Orsini, Dave Selan, Ryan Green, Tiffany Hollis
NOES: None
ABSTAIN: None

Passed 7 - 0 TABLED

ACTION: Donald Barnard moved to place a moratorium on cannabis dispensaries in the City of Johnstown until December 31,2024.
AYES: Mayor Barnard, Wesley Kobel, Jeff Barr, Bob Orsini, Dave Selan
NOES: Ryan Green, Tiffany Hollis
ABSTAIN: None

Passed 5 - 2

- d. **RESOLUTION 2024-28** A RESOLUTION IMPOSING A TWELVE-MONTH MORATORIUM ON THE COMMERCIAL CULTIVATION AND PROCESSING OF ADULT-USE CANNABIS IN THE CITY OF JOHNSTOWN. Tabled July 2, 2024
ACTION: Bob Orsini moved to take from the table; Dave Selan seconded and all were in favor.

AYES: Jeff Barr, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Dave Selan, Bob Orsini
NOES: None
ABSTAIN: None

Passed 7 - 0

Mayor Barnard said that the city received word that Curaleaf has been granted a provisional license from the state to cultivate and process adult use marijuana and because they have received this, this legislation would not affect Curaleaf, only future businesses.

ACTION: Ryan Green moved to table Resolution 2024-28 and convey to zoning; Tiffany Hollis seconded and all were in favor.
AYES: Jeff Barr, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel, Dave Selan, Bob Orsini
NOES: None
ABSTAIN: None

Passed 7 - 0

The Planning and Zoning Commission will work on a recommendation to council. Ryan Green said he and Dave Selan would handle the research on dispensaries.

13. Public Hearings of Legislation

a. **RESOLUTION 2024-29** A RESOLUTION AUTHORIZING THE CITY MANAGER TO MOVE FORWARD WITH PLANS FOR WATER TREATMENT PLANT EXPANSION

Sean Staneart read through the Resolution. Bob Orsini asked to clarify that the estimated cost of \$34 million dollars included a twenty percent contingency. Finance Director said that is what he recalled, because it could go down. Jack Liggett concurred and said that was also what he understood. Edits were made to the Resolution adding "which includes" a twenty percent contingency. Jack Liggett said it will be two and a half to three years before the plant comes online because engineering has to be completed, the EPA has to review and approve it and then construction can begin. This legislation gives the City Manager the ability to do the negotiation with Bowen (the General Contractor) to get the Guaranteed Maximum Price. Mr. Delande confirmed that the initial funding will come from the Enterprise Fund and the operations and debt would come out of water. Discussion on the need for the upgrade. Ms. Hollis said she wanted to clarify to the public that the city is not supplying water to Intel. Mr. Staneart said currently we have a plant that is thirty years old. If Johnstown residents want to have reliable water and sewer service, at some point, the plants must be upgraded. Mr. Barr asked if this would be a burden of existing customers to pay for. Mr. Orsini said that as reviewed in Finance Committee, it would require no additional changes than that of those currently in place, there is the inflationary growth already set in place, there are step rate increases, but that is separate and existed before this decision. Mr. Liggett said council would have one more chance to put the brakes on this when the Guaranteed Maximum Price comes in. Bob Orsini said they are

authorizing Sean to spend some money to get them a Guaranteed Maximum Price. Mr. Staneart said these projections are based on pretty reasonable expectations.

Public Hearing: There were no comments either for or against the legislation.

ACTION: Jeff Barr moved to pass Resolution 2024-29 as edited; Bob Orsini seconded and the vote was as follows:

AYES: Jeff Barr, Bob Orsini, Dave Selan, Ryan Green, Tiffany Hollis, Mayor Barnard, Wesley Kobel

NOES: None

ABSTAIN: None

Passed 7 - 0

14. Introduction of Legislation

- a. **ORDINANCE 18-2024** AN ORDINANCE TO AMEND THE JOHNSTOWN GATEWAY PD DISTRICT MAP BY ADDING TWO PARCELS TOTALING + 9.0 ACRES TO SUBAREA ONE OF THE PD DISTRICT.

Jamie McNally was present and said that the two parcels have already been annexed into the City of Johnstown and today is the first reading for those to be rezoned to become a part of the PD District, they will be absorbed into Sub-Area 1, this will increase it by nine acres. Sub-Area 1 is currently zoned for Data Centers and Industrial.

Ryan Green noted the "Johnstown Gateway" name and asked where we were at on a new name. Mr. McNally said they have not made progress on that, they are not married to that name, and recognize that there is a desire to come up with a new one. As they figure out a vision for the area and establish some design standards they can revisit naming.

Second reading and vote August 6, 2024

15. Other Business

1. Mr. Staneart said that council will need to establish the NCA Board members soon. Some discussion on having Greg Stype come to discuss how other municipalities conduct their selection process for the initial board.
2. Mr. Green said they should also dive back into the CODA board and appointments.
3. Upcoming Events: Art in the Park on Saturday, Farmers Market Wednesday.
3. Thanks to Faith Life Church for Serve Day, many volunteers did a lot for the city on Saturday; power washing and painting fire hydrants.

16. Executive Session to consider the compensation of a public employee

ACTION: Donald Barnard moved to enter executive session to consider the compensation of a public employee, to include all council members, the city manager, the finance director and city legal council by phone if needed, with no business to follow; Bob Orsini seconded and the vote was as follows:

AYES: Mayor Barnard, Wesley Kobel, Jeff Barr, Bob Orsini, Dave Selan, Ryan Green, Tiffany Hollis

NOES: None

ABSTAIN: None

Passed 7 - 0

Council entered Executive Session at 8:55 pm and returned to Regular Session at 9:30 pm.

17. Adjourn

With no further business, the meeting adjourned at 9:30 pm.



July 2024

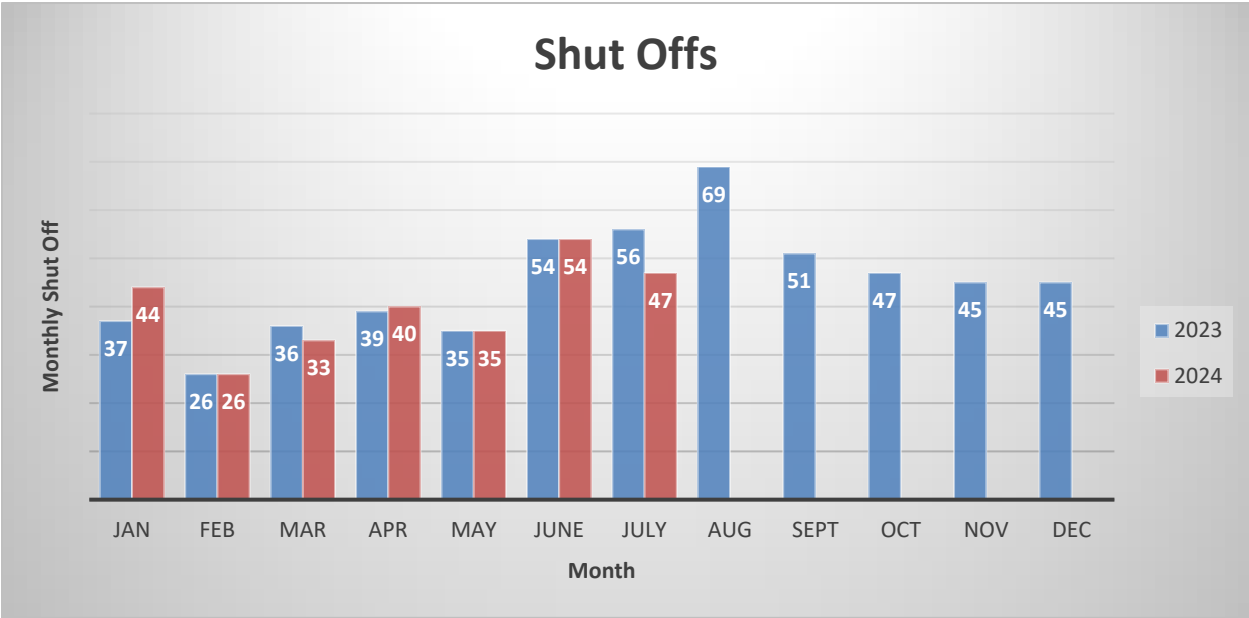
Water Council Report



Water Plant July 2024

- 1) As of July 31st, the flow is 19.866 MG.
- 2) There were 47 shut offs.
- 3) Worked on work-orders.
- 4) The Water Department had 0 hours of training.
- 5) Water Plant personnel painted fire hydrants.
- 6) Tim Perry worked 6 hours for the Street Department.
- 7) We continued working on Lead Inventory for E.P.A.
- 8) Changed lime feeders, took #1 feeder out and put #2 lime feeder in service. We cleaned #1 feeder and the feed line.
- 9) Repaired #1 lime feeder pump.
- 10) Water Plant personnel went door to door to identify the service line material in the house for the EPA Lead Inventory.
- 11) On Monday 7-22-2024 we repaired two main line valves in Leafy Dell.
- 12) David Nichols relocated leak detection equipment for monitoring for leaks in the system.

Thank you,
Terry Nichols
Chief Water Operator
City of Johnstown



Daily Plant Tap Test Results

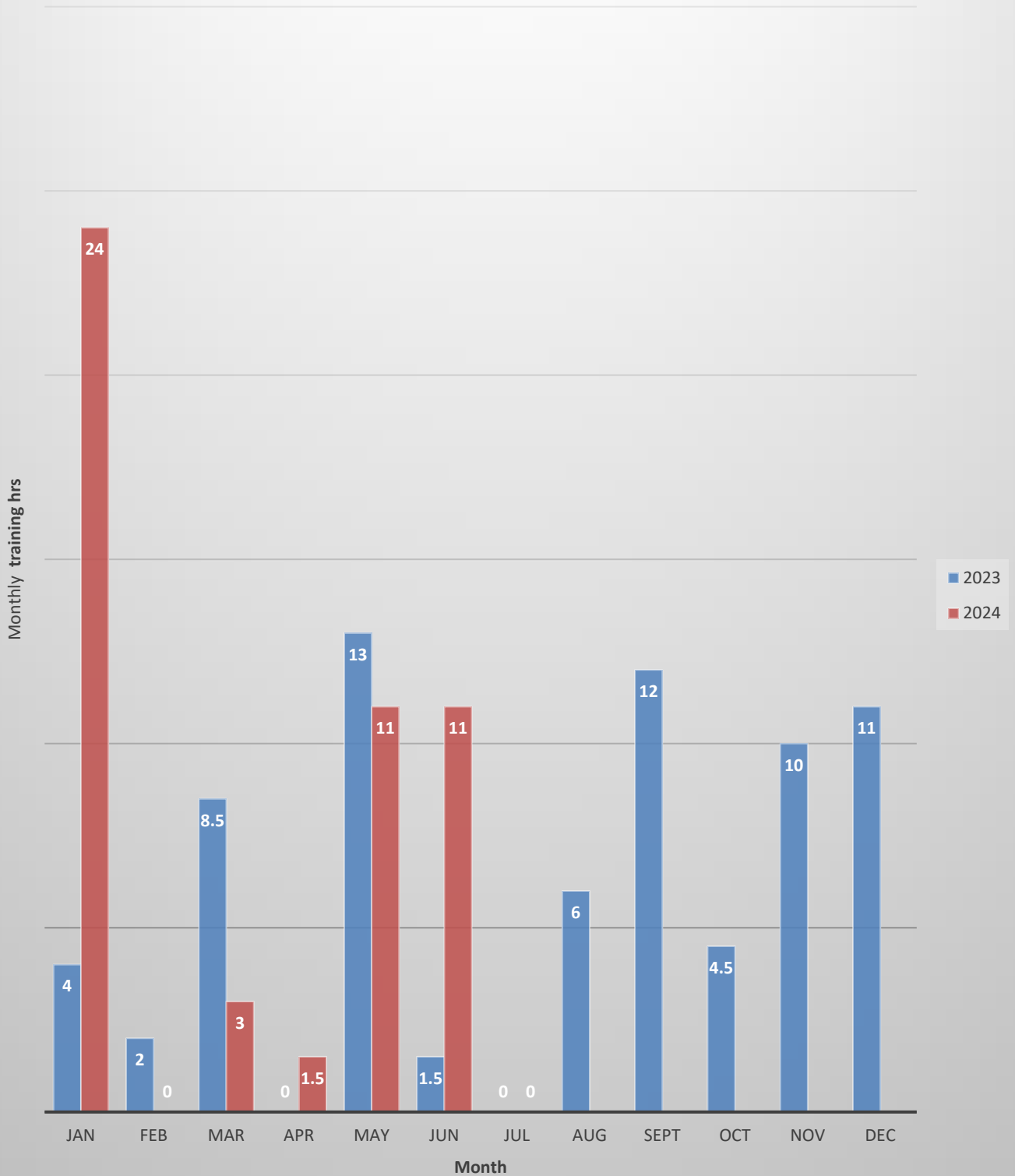
Date	PH	Phenol Alkalinity	Total Alkalinity	Total Hardness	Plant Tap Cl2		
					Free	Total	Combined
Jul-01	7.97	0	56	146	0.93	0.97	0.04
Jul-02	8.04	0	52	142	0.80	0.84	0.04
Jul-03	8.06	0	57	148	1.11	1.14	0.03
Jul-04	7.98	0	56	149	0.90	0.96	0.06
Jul-05	7.95	0	56	145	0.99	1.03	0.04
Jul-06	8.10	0	56	156	0.99	1.04	0.05
Jul-07	8.00	0	55	146	1.01	1.09	0.08
Jul-08	7.98	0	55	148	0.88	0.93	0.05
Jul-09	8.10	0	54	148	0.98	1.07	0.09
Jul-10	8.02	0	56	149	0.91	1.00	0.09
Jul-11	8.07	0	56	150	1.01	1.10	0.09
Jul-12	8.01	0	54	147	0.97	1.05	0.08
Jul-13	7.84	0	57	154	0.90	1.07	0.17
Jul-14	7.95	0	55	147	1.01	1.04	0.03
Jul-15	8.04	0	57	149	0.98	1.02	0.04
Jul-16	7.96	0	54	152	0.82	0.89	0.07
Jul-17	7.99	0	55	148	0.97	1.01	0.04
Jul-18	7.85	0	57	150	0.96	1.02	0.06
Jul-19	8.02	0	55	155	1.01	1.16	0.15
Jul-20	8.01	0	55	153	0.89	0.96	0.07
Jul-21	8.10	0	56	148	0.90	0.94	0.04
Jul-22	8.09	0	56	150	1.04	1.13	0.09
Jul-23	8.02	0	57	150	0.84	0.88	0.04
Jul-24	7.86	0	55	148	0.93	0.97	0.04
Jul-25	8.05	0	57	150	0.88	0.96	0.08
Jul-26	7.87	0	57	149	0.96	1.00	0.04
Jul-27	0.34	0	54	150	0.98	1.02	0.04
Jul-28	8.17	0	55	147	1.05	1.09	0.04
Jul-29	8.11	0	57	150	0.92	1.00	0.08
Jul-30	7.91	0	56	150	0.95	1.01	0.06
Jul-31	8.22	0	68	159	0.94	1.00	0.06
Avg	7.76	0	56	149	0.95	1.01	0.06

Total Alkalinity: 35-55 mg/L

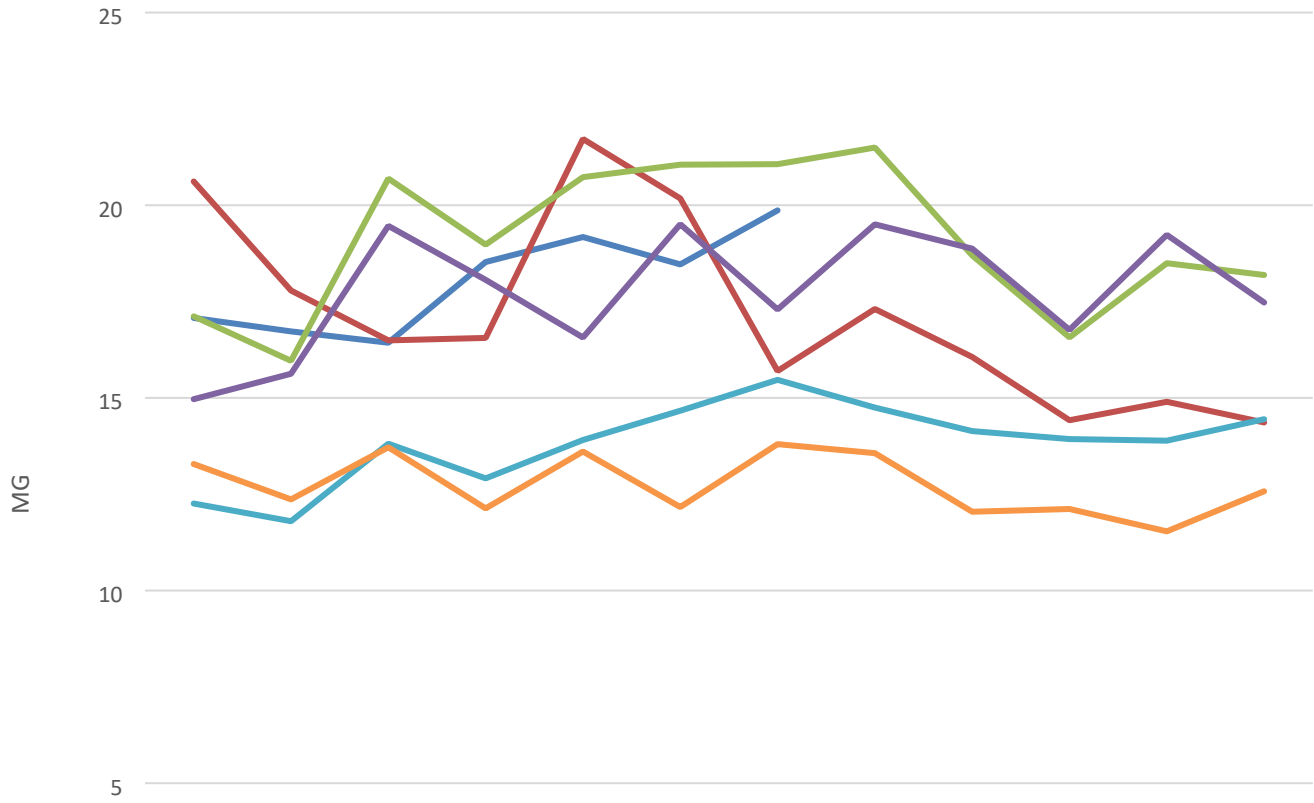
Phenol Alkalinity: 0-2 mg/L Hardness: 135 – 150 mg/L (Higher hardness is due to running # 2 L.S. well pulling water from deeper part of the aquifer)

Free Chlorine: 0.85-1.10 mg/L

Training Hours



Monthly Influent MG



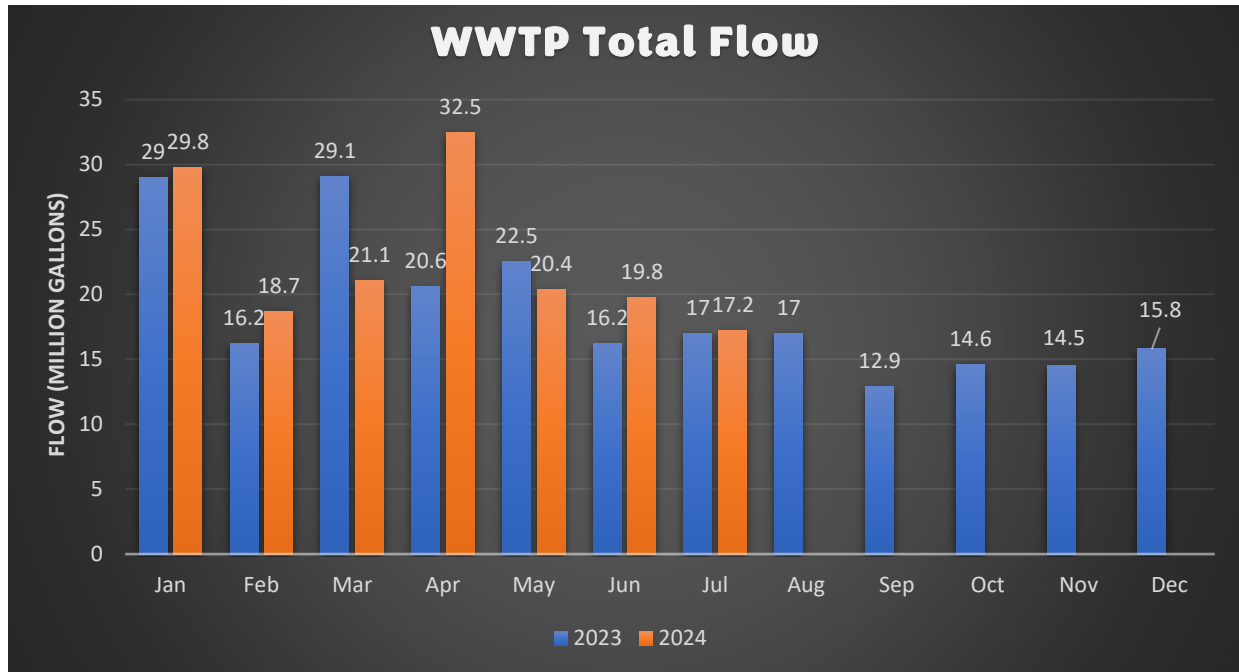
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
2024	17.074	16.725	16.431	18.526	19.174	18.464	19.866					
2023	20.616	17.786	16.492	16.556	21.719	20.176	15.698	17.307	16.061	14.42	14.898	14.362
2022	17.116	15.962	20.692	18.977	20.728	21.052	21.065	21.496	18.696	16.569	18.495	18.189
2021	14.966	15.626	19.463	18.063	16.567	19.506	17.295	19.504	18.873	16.765	19.23	17.475
2020	12.258	11.799	13.81	12.911	13.907	14.666	15.468	14.748	14.138	13.931	13.889	14.446
2019	13.283	12.365	13.718	12.132	13.607	12.167	13.799	13.565	12.045	12.116	11.536	12.576

Months

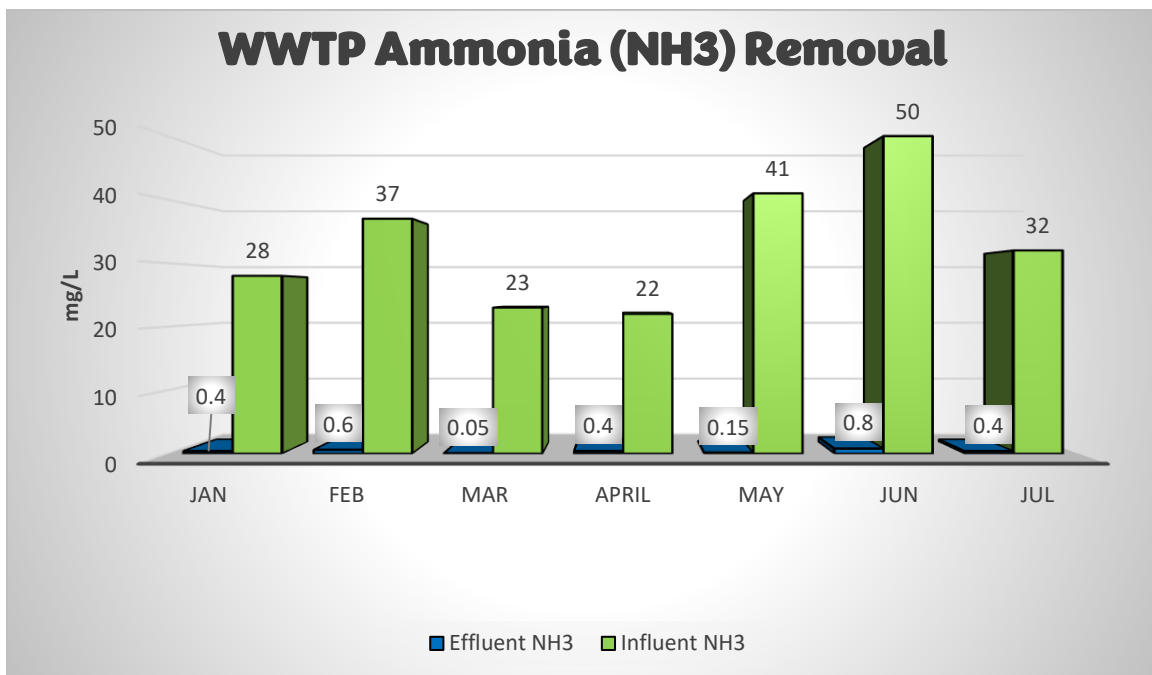


July 2024

Sewer Council Report



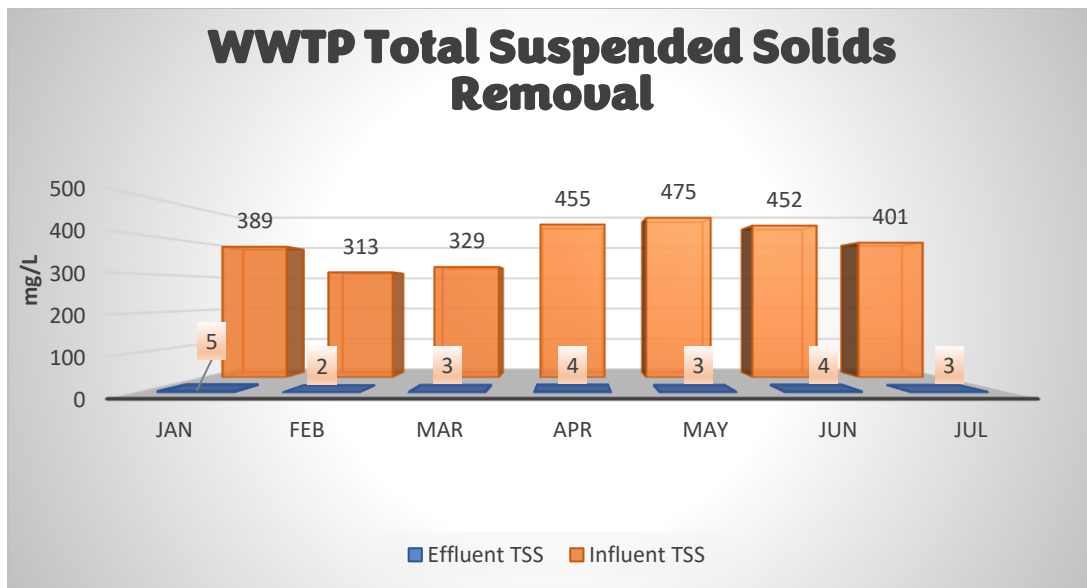
Plant Efficiency Charts



Average % of NH3 removed for the month = **99%**

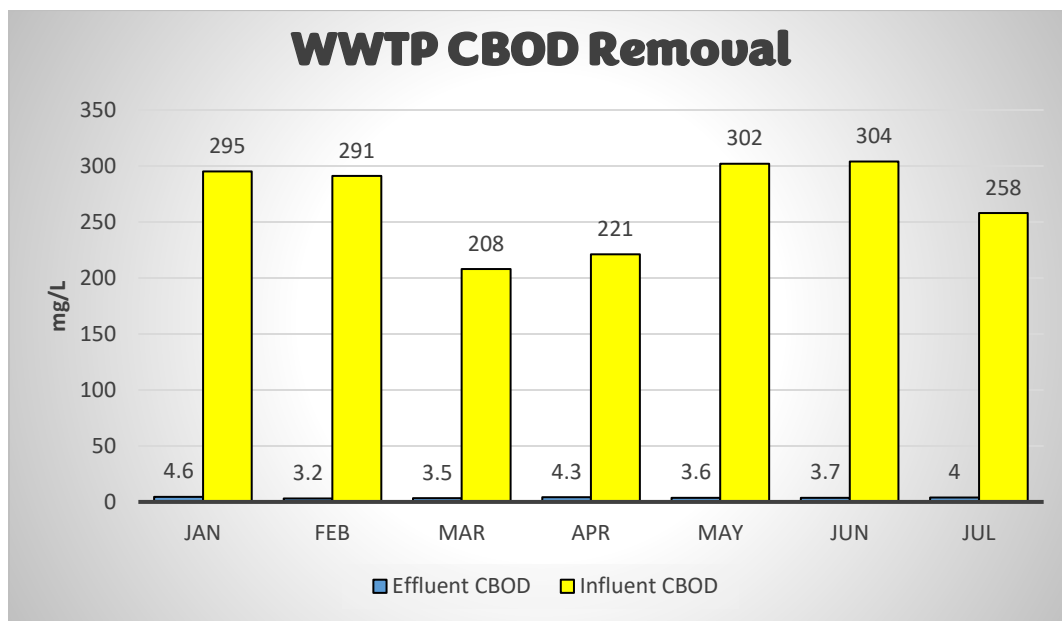
Discharge Limitations

Weekly- 3.9 mg/L
Monthly- 2.6 mg/L



Average % of TSS removed for the month = **99%**

Discharge Limitations	Weekly-	18 mg/L
	Monthly-	12 mg/L



Average % of BOD removed for the month = **98%**

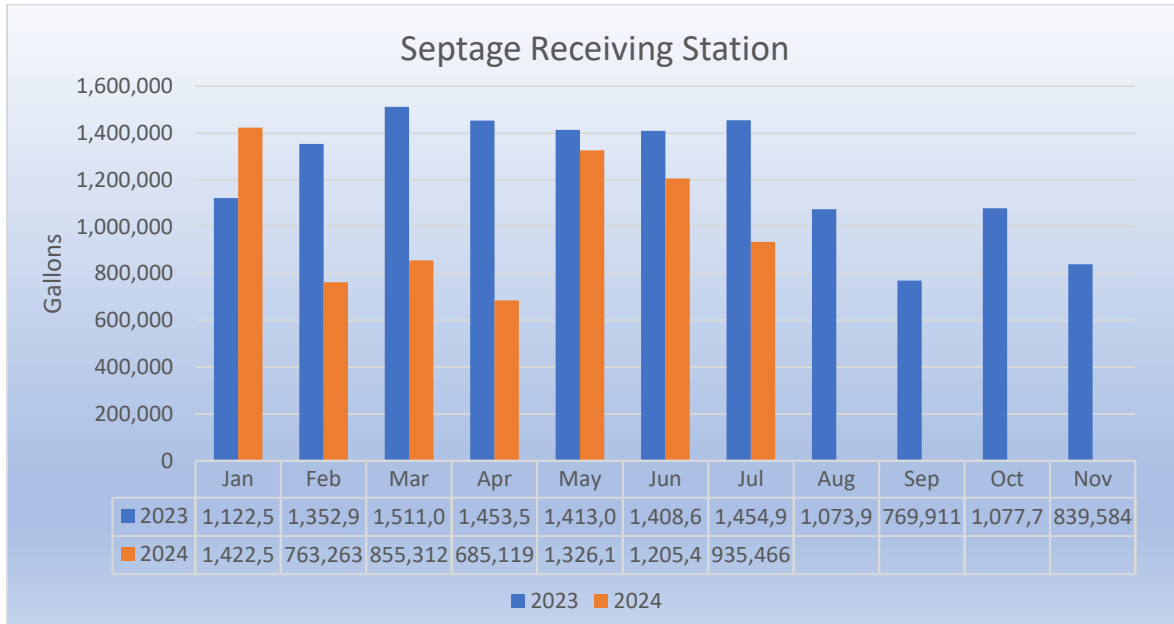
Discharge Limitations	Weekly-	15 mg/L
	Monthly-	10 mg/L

Work Highlights

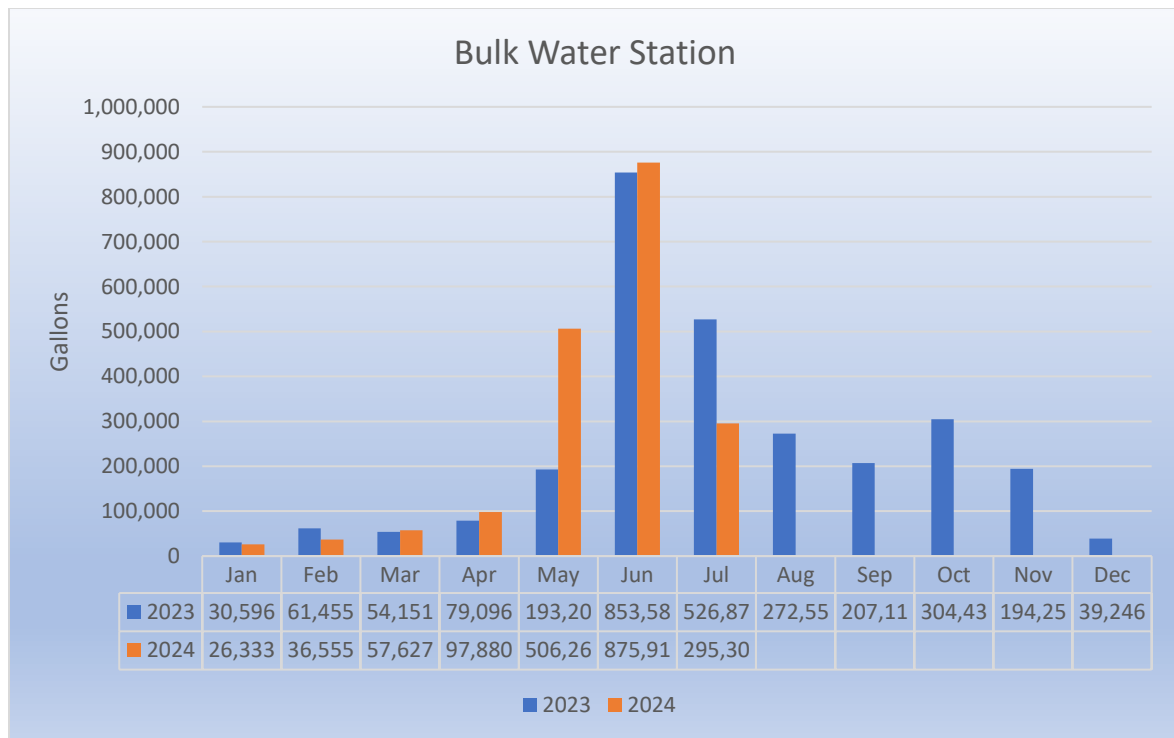
- Sewer Inspections
 - 2 new build inspections
- Amount of sludge pressed (dewatered) – 588,000 gallons
- Routine plant operations and preventative maintenance
- SBR # 1 decanter linear actuator pin replacement

BULK SEWER & WATER

The following chart shows the total amount of waste in gallons brought into Johnstown for the current year and past year by the egg farm and bulk septage haulers.



The chart below shows the total amount of bulk water in gallons purchased each month for the current year and past year. NOTE: This graph contains only gallons of bulk water purchased from the fill station onsite and does not include hydrant meter usage.



Service Directors Report

8/2/2024

1) Water Plant Update – No new information

2) Wastewater Plant update – Continued meetings on 7/9/2024 and 7/30/2024 discussing plant equipment and site layout. Scheduled site borings for buildings to be done in August.

3) Pulte Housing Project – Currently waiting on the new higher horsepower pumps. Estimated installation date is 8/23/2024

4) Coughlin Apartments – Mowing and weeding were done in July.

5) Water Plant Department Grant – The water department has been awarded a grant in the amount of \$15,000 to reconstruct our asset management plan.

6) Source Water Assessment – Terry and I are continuing the source water assessment plan with the support of the Rural Water Association.

7) 8" Main line valve replacement was completed 7/22/2024. Installation went very well. All protocols were observed, and boil alert was lifted the same day.

8) High Service Pump – Repairs are under way with an estimated cost just under \$34,000.



ORDINANCE 17-2024

AN ORDINANCE TO PROHIBIT CANNABIS DISPENSARIES; AND TO DECLARE AN EMERGENCY.

WHEREAS, State Issue 2, approved by a majority of voters in the November 7, 2023 Ohio general election, legalized the commercial sale, recreational use, and home cultivation of cannabis for persons 21 years old and older (“Adult-Use Cannabis”); and

WHEREAS, pursuant to home rule authority found in Article XVIII of the Constitution of the State of Ohio, the City Charter, and the Ohio Revised Code, municipalities have the inherent power to enact planning, zoning and business regulation laws that further the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restricting, prohibiting and regulating certain business uses; and

WHEREAS, Ohio Revised Code Section 3780.25, enacted by State Issue 2, affirms that municipalities may prohibit or limit the number of Adult-Use Cannabis operators within their corporation limits;

WHEREAS, Chapter 3796 of the Ohio Revised Code permits the cultivation, processing, and establishment of medical marijuana (“Medical Marijuana”) dispensaries; and

WHEREAS, Ohio Revised Code Section 3796.29 of the Ohio Revised Code authorizes a municipality to adopt an ordinance limiting the number of, or entirely prohibiting, cultivators, processors, or retail dispensaries of Medical Marijuana within their corporation limits; and

WHEREAS, the City has determined, in accordance with Ohio Revised Code Sections 3780.25 and 3796.29, that the complete prohibition of retail dispensing of Adult-Use Cannabis and Medical Marijuana furthers the health, safety, welfare, comfort, and peace of the citizens of the municipality.

NOW, THEREFORE, BE IT ORDAINED by the Council for the city of Johnstown, County of Licking, State of Ohio, that:

Section 1: Prohibition. Council of the City of Johnstown, Ohio, in accordance with Ohio Revised Code Sections 3780.25 and 3796.29, hereby prohibits retail dispensing of Adult-Use Cannabis and Medical Marijuana to promote the health, safety, welfare, comfort, and peace of the citizens of the municipality.

Section 2: Existing Businesses. No existing business in the City of Johnstown may expand in any way that would establish the retail dispensing of either Adult-Use Cannabis or Medical Marijuana.

Section 3. Effective Date. For the immediate preservation of the public peace, health, and safety for the City, namely, because of the uncertain and evolving statutory and regulatory landscape concerning Adult-Use Cannabis and the continued operation of Medical Marijuana businesses, this Ordinance shall take effect at the earliest date allowed by law.

Date of Introduction: July 2, 2024 TABLED

Public Hearing:

Effective Date:

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Director of Law



RESOLUTION 2024-28

**A RESOLUTION IMPOSING A TWELVE-MONTH MORATORIUM ON THE
COMMERCIAL CULTIVATION AND PROCESSING OF ADULT-USE CANNABIS IN THE
CITY OF JOHNSTOWN**

WHEREAS, State Issue 2, approved by a majority of voters in the November 7, 2023 Ohio general election, legalized the commercial sale, recreational use, and home cultivation of cannabis for persons 21 years old and older (“Adult-Use Cannabis”); and

WHEREAS, State Issue 2 created the Ohio Division of Cannabis Control and required this Division to promulgate rules establishing standards and procedures for the commercial sale, recreational use, and home cultivation of Adult-Use Cannabis within nine months of its passage;

WHEREAS, since State Issue 2’s passage, State lawmakers have proposed two alternative bills to revise the administrative and tax structures adopted via State Issue 2, but have not adopted any amendments to-date; and

WHEREAS, the Ohio Division of Cannabis Control has not yet promulgated standards and procedures for the commercial sale, recreational use, and home cultivation of Adult-Use Cannabis; and

WHEREAS, pursuant to home rule authority found in Article XVIII of the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the inherent power to enact planning, zoning, and business regulation laws that further the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restricting, prohibiting and/or regulating certain business uses; and

WHEREAS, Section 3780.25, enacted by State Issue 2, affirms that municipalities may prohibit or limit the number of Adult-Use Cannabis operators within their corporation limits; and

WHEREAS, City Council seeks time to study whether to limit or entirely prohibit the commercial cultivation of Adult-Use Cannabis in accordance with Ohio Revised Code Section 3780.25, or, to amend its business and/or zoning code and/or implement regulations regarding the location and operation of Adult-Use Cannabis-related businesses within the City of Johnstown, Ohio (the “City”), including cultivators, and processors; and

WHEREAS, a twelve-month moratorium on the permitting of Adult-Use Cannabis businesses and uses in the City will allow City Council and staff time to study these issues and the final regulations in order to ensure the public peace, health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council for the city of Johnstown, County of Licking, State of Ohio, that:

Section 1: Prohibition. Council of the City of Johnstown, Ohio, in accordance with Ohio Revised Code Section 3780.25, hereby imposes a moratorium on the commercial cultivation and processing of Adult-Use Cannabis to promote the health, safety, welfare, comfort, and peace of the citizens of the municipality. Commercial cultivation and processing of Adult-Use Cannabis is specifically prohibited anywhere within the City of Johnstown for a period of twelve (12) months from the date of this Resolution’s adoption. Activities subject to this moratorium include, but are not limited to, the acceptance of any applications for, or the granting of, building permits, zoning approvals, certificates of business occupancy, or certificates of occupancy that would enable the cultivation and processing of Adult-Use Cannabis in the City of Johnstown. This moratorium does not apply to home cultivation of Adult-Use Cannabis.

Section 2: Existing Businesses. No existing business in the City of Johnstown may expand in any way that would establish the commercial cultivation or processing of Adult-Use Cannabis for the duration of the moratorium period established in this Resolution.

Section 3: Extension. The twelve-month (12) moratorium may be extended by legislative action of City Council if it determines that additional time is necessary based on the objectives of this Resolution.

Section 4: Effective Date. For the immediate preservation of the public peace, health, and safety for the City, namely, because of the uncertain and evolving statutory and regulatory landscape concerning Adult-Use Cannabis, this Resolution shall take effect at the earliest date allowed by law.

Date of Introduction/Public Hearing/Vote: July 2, 2024 TABLED

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Director of Law



ORDINANCE 18-2024

**AN ORDINANCE TO AMEND THE JOHNSTOWN GATEWAY PD DISTRICT MAP BY
ADDING TWO PARCELS TOTALING $\pm$ 9.0 ACRES TO SUBAREA ONE OF THE PD
DISTRICT.**

WHEREAS, the Johnstown Gateway PD District is a zoning district of the City of Johnstown governed by Chapter 1165 of the Codified Ordinances of the City of Johnstown; and

WHEREAS, Section 1165.01 of the Codified Ordinances of the City of Johnstown defines eligibility for applications to include properties in a PD District; and

WHEREAS, Section 1165.06 of the Codified Ordinances of the City of Johnstown defines the process for applications to amend existing PD Districts; and

WHEREAS, the Johnstown Land Company, LLC, owner and applicant for the Johnstown Gateway PD District, has filed an application, attached hereto as **Exhibit A**, to include two additional properties, to be designated as Johnstown Gateway PD District Subarea 1-A and Subarea 1-B, and totaling $\pm$ 9.0 acres, to the Johnstown Gateway PD District; and

WHEREAS, the properties are eligible for addition to the existing PD District under Section 1165.01 of the Codified Ordinances of the City of Johnstown; and

WHEREAS, pursuant to Section 1165.06 of the Codified Ordinances of the City of Johnstown, the Planning and Zoning Commission on June 25, 2024, voted to recommend approval of the application subject to certain conditions; and

WHEREAS, the application was transmitted to City Council and notice of public hearing was given in accordance with Section 1165.06 of the Codified Ordinances of the City of Johnstown;

NOW, THEREFORE, BE IT ORDAINED by the Council for the City of Johnstown, County of Licking, State of Ohio, that:

Section 1: Acceptance of Planning and Zoning Commission Recommendation and Approval of Application. City Council hereby accepts the recommendation of the Planning and Zoning Commission and approves the application to rezone the properties further described in **Exhibit B** and **Exhibit C** of this Ordinance to the Johnstown Gateway PD District, subject to the conditions recommended by the Planning and Zoning Commission and as further set forth in Section 2 of this Ordinance.

Section 2: Condition of Approval. The approval of the application is subject to the following conditions, as recommended by the Planning and Zoning Commission and as further required by City Council:

1. That the applicant will prepare and provide a full PD District text and supporting documents as amended for the City to keep on file, prior to the submittal of a final development plan application for the new Sub Areas 1-A and 1-B.

Section 3. Zoning Map. The Zoning Map of the City of Johnstown shall be revised to reflect the amendment approved by this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect at the earliest date allowed by law.

Date of Introduction: July 15, 2024
Public Hearing/Vote: August 6, 2024
Effective Date:

By: _____

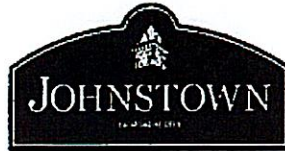
Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Director of Law



PD MAP AMENDMENT PERMIT APPLICATION: 1165

Application Number: 6-25-1 Date: 6, 25, 24

FEES:

Number of Certified Letters to Contiguous Property Owners: _____ @ \$8.53 Total: \$ _____

Newspaper Advertising Expense: \$ _____ & Applicable acres: _____ @ \$10 per acre: \$ _____

Application Fee: \$600

Total Fee Amount: \$ 1800.⁰⁰ Paid: Check # 61456 / Cash: _____

(PLEASE PRINT)

Applicant's Name: The Johnstown Land Company LLC Phone: (614) 335-9320

Mailing Address: c/o Underhill + Hodge LLC
8000 Walton Pkwy, Suite 260 City: New Albany State: OH Zip: 43054

E-mail Address: aaron@uhlmanfirm.com Zoning District: AG Proposed District: PD

Property Address: 5206 and 5230 Clover Valley Rd.; 12017 Johnstown, Ohio 43031
Duncan Plains Rd.

Business name: N/A

Description of the property to which Amendment would apply if enacted: Licking County

Auditor Parcel Nos. 052-176178-00.000, 052-172752-00.003, and
052-172752-00.004

Proposed Zoning District: PD

Present use of property: Three single-family homes

IN ADDITION, THE FOLLOWING ITEMS MUST ACCOMPANY THIS APPLICATION:

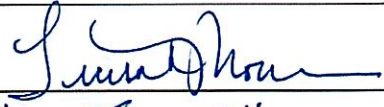
1. Attach a Legal Description.
2. Attach a separate list of property owner's names and addresses contiguous to and directly across the streets(s) from the property for which the Non-Conforming use is proposed or desired and the mailing addresses of all such persons.
3. Attach a vicinity map that shows the property lines, streets, existing and proposed.

4. Attach a statement of the relation of the proposed amendment to the general welfare of the community, to appropriate plans for the area and to the changed or changing conditions behind the request for the amendment, and proposed, existing and proposed.
5. Attach a list of any deed restrictions, easements, covenants and or encumbrance to be used to control use, development and maintenance of land and proposed uses shall be fully denoted by text and map.

*** The undersigned is applying for a Map Amendment Permit for the following use; said permit to be issued based on the information contained within this application. The applicant hereby certifies that all information and attachments to this application are true & correct and agrees to follow all applicable regulations.

Applicant's Signature: By:  Date: 5 / 29 / 24
Aaron Underhill, Esq.

OFFICE USE ONLY:

Date Received in Office: 5 / 29 / 24 By: 

Planning and Zoning Commissioners Hearing Date: 6 / 25 / 24

Permit was Approved Issued on Date: _____/_____/_____

Permit was Denied on Date: _____/_____/_____

Commission Chairperson Signature: x _____

Additional Comments or Requirements: _____

ORD 18-2024
Exhibit B

Legal Description – Subarea 1-A

4.0± ACRES

FROM: MONROE TOWNSHIP

TO: CITY OF JOHNSTOWN

Situated in the State of Ohio, County of Licking, Township of Monroe, in Section 23, Quarter Township 3, Township 3, Range 15, United States Military District, being comprised of all of the following tracts of land: that 2.00 acre tract conveyed to Michael A. Signoracci Jr. and Elizabeth L. Signoracci by deed of record in Instrument Number 201709130019537, and that 2.00 acre tract conveyed to Laurie Turner and William Turner by deed of record in Instrument Number 201908190017148 (all references refer to the records of the Recorder's Office, Licking County, Ohio), and more particularly bounded and described as follows:

Beginning, for reference, at the centerline intersection of Green Chapel Road (T.R. 63) and Clover Valley Road (C.R. 26);

Thence North 03° 31' 24" East, with the centerline of said Clover Valley Road, a distance of 1375.20 feet to a point;

Thence North 03° 08' 54" East, with said centerline and with the existing City of Johnstown corporation line (Resolution Number 2023-30, of record in Instrument Number 202401250001407), a distance of 801.17 feet to the northwesterly corner of that 5.133 acre tract conveyed to The Johnstown Land Company LLC by deed of record in Instrument Number 202312050022158, the TRUE POINT OF BEGINNING for this description;

Thence North 03° 08' 54" East, with said centerline and said corporation line, a distance of 349.78 feet to a southwesterly corner of that 107.577 acre tract conveyed to The Johnstown Land Company LLC by deed of record in Instrument Number 202312050022155;

Thence with the boundary of said 107.577 acre tract and said corporation line, the following courses and distances:

South 82° 23' 34" East, a distance of 213.51 feet to a point;

South 89° 53' 22" East, a distance of 304.96 feet to a point;

South 03° 06' 36" West, a distance of 174.77 feet to a point;

North 86° 48' 12" West, a distance of 25.33 feet to a point; and

South 03° 06' 36" West, a distance of 175.00 feet to a point in the northerly line of said 5.133 acre tract;

Thence North 86° 48' 12" West, with said northerly line, a distance of 492.30 feet to the TRUE POINT OF BEGINNING, containing 4.0 acres of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

31 JAN 24

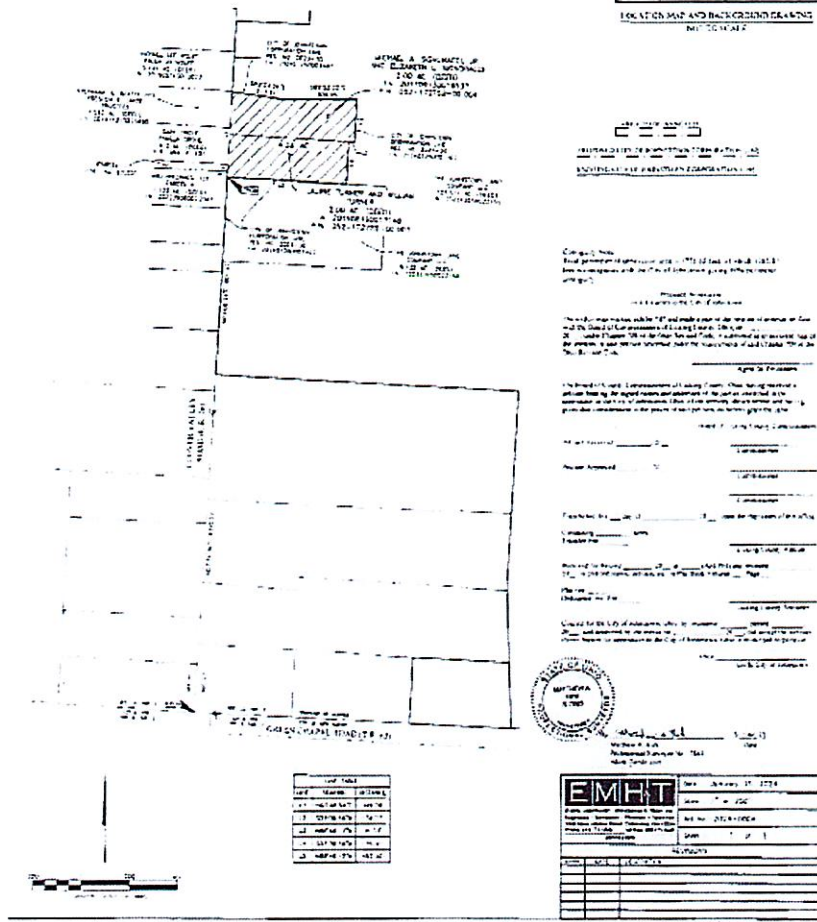
Matthew A. Kirk
Professional Surveyor No. 7865

MAK smh
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Subarea Map Page 1 of 2

Subarea 1-A



Signoracci/Turner

ORD 18-2024
Exhibit C

Legal Description – Subarea 1-B

5.0 ± ACRES

FROM: MONROE TOWNSHIP

TO: CITY OF JOHNSTOWN

Situated in the State of Ohio, County of Licking, Township of Monroe, in Section 23, Quarter Township 3, Township 3, Range 15, United States Military District, being all of that 5 acre tract conveyed to Martin V. Hamparian and Lora K. Hamparian by deed of record in Official Record 806, Page 315 (all references refer to the records of the Recorder's Office, Licking County, Ohio) and more particularly bounded and described as follows:

BEGINNING at the northeasterly corner of said 5 acre tract, the northwesterly corner of that 2.063 acre tract conveyed to Scott D. Crabtree and Tricia J. Crabtree by deed of record in Instrument Number 201707130014745, in the centerline of Duncan Plains Road;

Thence South 02° 54' 22" West, partly with the westerly line of said 2.063 acre tract, partly with a westerly line of that 50.912 acre tract conveyed as Parcel II to West Licking Properties LLC by deed of record in Instrument Number 202302240003314, and partly with the existing City of Johnstown corporation line, as established by Ordinance Number 15-05, of record in Instrument Number 200606070016275, a distance of 910.67 feet to a point;

Thence with the boundary of said Parcel II and said corporation line, the following courses and distances:

North 87° 05' 24" West, a distance of 225.05 feet to a point; and

North 02° 54' 22" East, a distance of 1024.88 feet to a point in the centerline of said Duncan Plains Road;

Thence South 60° 11' 00" East, with said centerline, a distance of 252.37 feet to the POINT OF BEGINNING, containing 5.0 acres of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

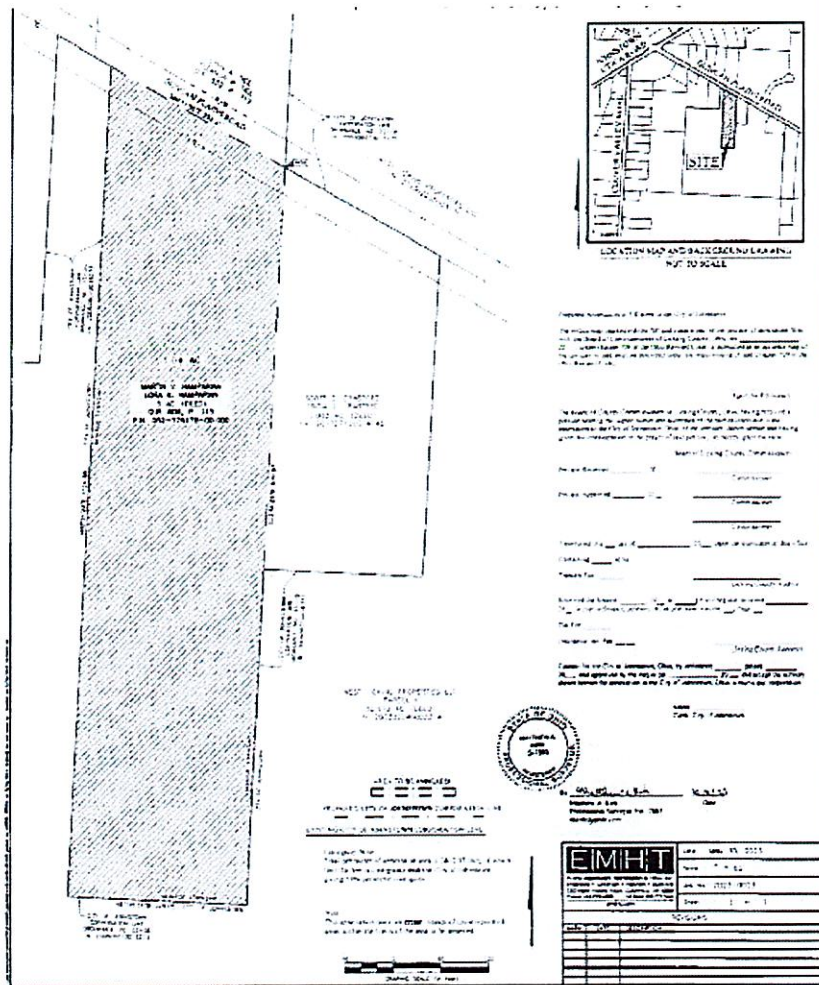
30 MAY 23

Matthew A. Kirk
Professional Surveyor No. 7865

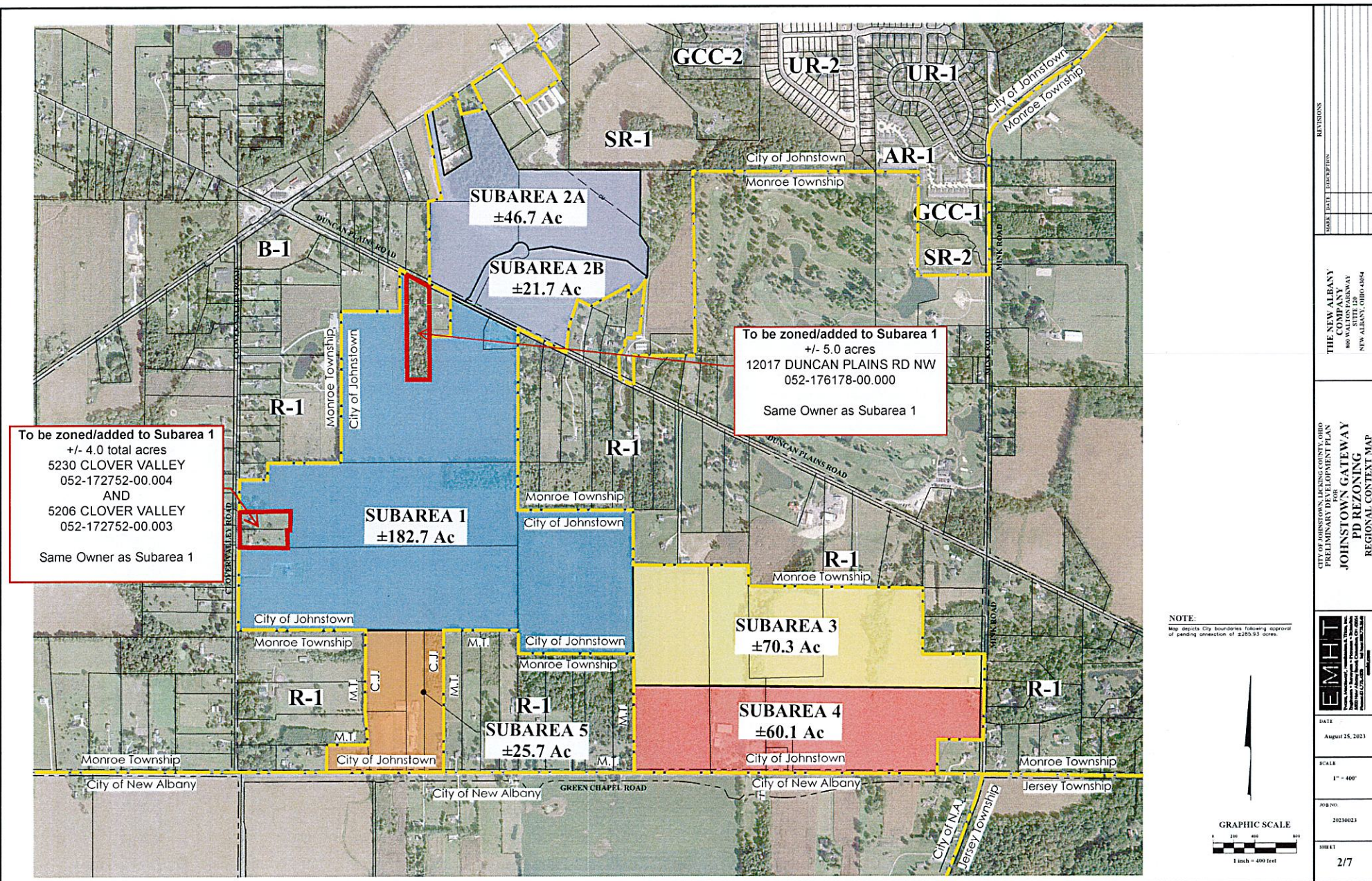
HLK M
5_012 2023023-VS-ANNEX-02



Subarea 1-B



Kamparian





ORDINANCE 19-2024

AN ORDINANCE TO AMEND THE JOHNSTOWN GATEWAY TAX INCREMENT FINANCING AREA TO ADD APPROXIMATELY +/- 9 ACRES TO THAT AREA, AND DECLARING AN EMERGENCY.

WHEREAS, Sections 5709.40, 5709.42 and 5709.43 of the Ohio Revised Code (collectively, the “*TIF Statutes*”) authorize this Council to declare the improvement to certain parcels of real property located within the City of Johnstown, Ohio (the “*City*”) to be a public purpose and exempt from taxation, require the owners of those parcels to make service payments in lieu of taxes, provide for the distribution of the applicable portion of those service payments to the Johnstown-Monroe Local School District and the Career and Technology Education Centers of Licking County (“*C-TEC*”), (each, a “*School District*”), establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of those service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

WHEREAS, this Council, by its Ordinance No. 13-2024 passed and effective June 18, 2024, pursuant to R.C. Sections 5709.40, 5709.42 and 5709.43, determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation one hundred percent (100%) of the increase in assessed value (“*Improvement*”) for each parcel of real property identified and depicted in Exhibit A attached hereto (the “*Johnstown Gateway TIF Area*”) for thirty (30) years, and to simultaneously direct and require the owner of the TIF District to make annual Service Payments in lieu of taxes, a portion of which shall be paid to each School District and the remaining balance to be paid to a municipal public improvement tax increment equivalent fund as directed by one or more Tax Increment Financing Agreements; and

WHEREAS, the City desires to add to the Johnstown Gateway TIF Area +/- 9 acres contiguous to that Area, which contiguous area includes two separate tracts of real property of +/- 5 acres and +/- 4 acres, (collectively, the “*TIF Area Expansion*”), which tracts and area are depicted on Exhibit A attached hereto; and

WHEREAS, the City believes that additional office, industrial and manufacturing development in the TIF District Expansion would encourage economic stability, maintain real property values, and generate new employment opportunities, and desires to designate the TIF District Expansion as a tax exempt area just as the original TIF District pursuant to R.C. Sections 5709.40, 5709.42 and 5709.43; and

WHEREAS, the Johnstown-Monroe Local School District has waived its rights to (i) receive notice of this Ordinance under Ohio Revised Code Section 5709.83, and (ii) approve this Ordinance; and

WHEREAS, the Career and Technology Education Centers of Licking County (C-TEC) has received fourteen day advance notice of this Ordinance in accordance Ohio Revised Code Section 5709.83; and

WHEREAS, this Ordinance constitutes an emergency measure necessary to provide for the public peace, health, safety and welfare of the City and for the further reason that this Ordinance is required

to be immediately effective in order to permit the immediate commencement of arrangements for the extension, development and financing of public infrastructure necessary to permit economic development to proceed on the Parcels; and

NOW, THEREFORE, BE IT ORDAINED by the Council for the city of Johnstown, County of Licking, State of Ohio, that:

Section 1. Expansion of Johnstown Gateway TIF Area to Include Additional +/- 9 Acres; Ratification of Notice to CTEC. This Council hereby (a) confirms and ratifies the authority of the Clerk of Council to provide the notice to CTEC referred to above under Ohio Revised Code Section 5709.83, and (b) adds to the current Johnstown Gateway TIF Area the TIF Area Expansion totaling +/- 9 acres which contiguous area includes two separate tracts of real property of +/- 5 acres and +/- 4 acres, all as shown on Exhibit A to this Ordinance. ;

Section 2. TIF Expansion Area Subject to Provisions of City Ordinance No. 13-2024. The TIF Area Expansion shall be subject all the provisions of City Ordinance No. 13-2024 passed and effective June 18, 2024 as if originally incorporated therein.

Section 3. Filings with Ohio Department of Development. Pursuant to Section 5709.40(I) of the Ohio Revised Code, the City Manager or other appropriate officer of the City is hereby directed to deliver a copy of this Ordinance to the Director of Development of the State of Ohio within fifteen (15) days after its adoption.

Section 4. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

Section 5. Effective Date. By reason of the emergency set forth in the preamble hereto, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Date of Introduction/Public Hearing/Vote, August 6, 2024

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Director of Law

EXHIBIT A

PARCEL MAP

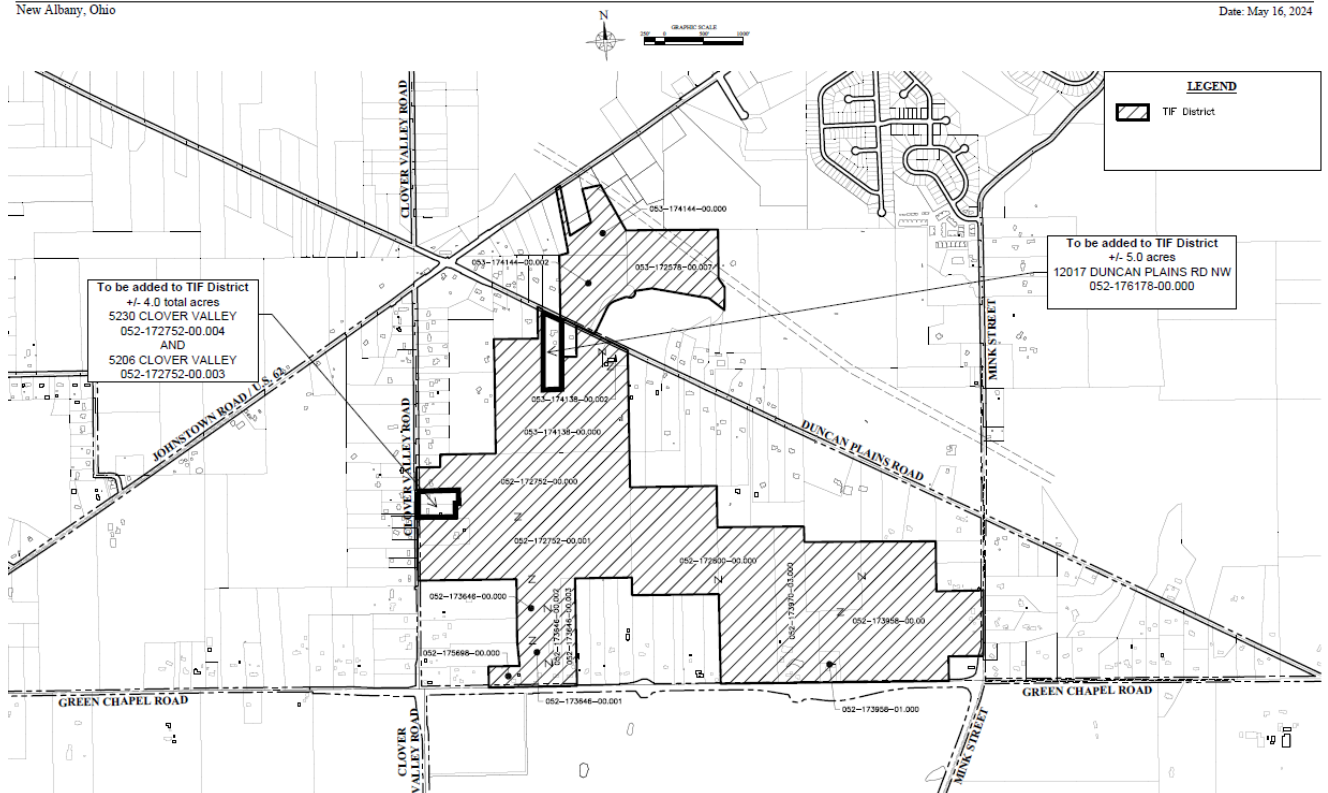
The outlined areas on the attached map specifically identify and depict the parcels and constitutes part of this Exhibit A.

JOHNSTOWN TIF MAP

New Albany, Ohio

THE NEW ALBANY COMPANY

Date: May 16, 2024





RESOLUTION 2024-30

A RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON MEDICAL AND ADULT-USE CANNABIS DISPENSARIES IN THE CITY OF JOHNSTOWN

WHEREAS, State Issue 2, approved by a majority of voters in the November 7, 2023 Ohio general election, legalized the commercial sale, recreational use, and home cultivation of cannabis for persons 21 years old and older (“Adult-Use Cannabis”); and

WHEREAS, State Issue 2 created the Ohio Division of Cannabis Control and required this Division to promulgate rules establishing standards and procedures for the commercial sale, recreational use, and home cultivation of Adult-Use Cannabis within nine months of its passage;

WHEREAS, since State Issue 2’s passage, State lawmakers have proposed two alternative bills to revise the administrative and tax structures adopted via State Issue 2, but have not adopted any amendments to-date; and

WHEREAS, the Ohio Division of Cannabis Control has not yet promulgated standards and procedures for the commercial sale, recreational use, and home cultivation of Adult-Use Cannabis; and

WHEREAS, pursuant to home rule authority found in Article XVIII of the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the inherent power to enact planning, zoning, and business regulation laws that further the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restricting, prohibiting and/or regulating certain business uses; and

WHEREAS, Section 3780.25, enacted by State Issue 2, affirms that municipalities may prohibit or limit the number of Adult-Use Cannabis operators within their corporation limits; and

WHEREAS, on July 15, 2024, City Council passed a motion to place a moratorium on cannabis dispensaries in the City of Johnstown until December 31, 2024; and

WHEREAS, City Council seeks time to study the impacts of the commercial sale of Medical and/or Adult-Use Cannabis; and

WHEREAS, a temporary moratorium on the Cannabis dispensary businesses in the City will allow City Council and staff time to study these issues and the final regulations from the state in order to ensure the public peace, health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council for the city of Johnstown, County of Licking, State of Ohio, that:

Section 1: Prohibition. The Council of the City of Johnstown, Ohio, in accordance with Ohio

Revised Code Section 3780.25, hereby imposes a moratorium on cannabis dispensaries in the City of Johnstown until December 31, 2024 to promote the health, safety, welfare, comfort, and peace of the citizens of the municipality.

Section 2: This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council and any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Ohio Revised Code.

Section 3: Effective Date. For the immediate preservation of the public peace, health, and safety for the City, namely, because of the uncertain and evolving statutory and regulatory landscape concerning Adult-Use Cannabis, this Resolution shall take effect at the earliest date allowed by law.

Date of Introduction/Public Hearing/Vote: August 6, 2024

By: _____

Mayor Donald Barnard

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Director of Law